

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:18-cv-00283-MR-WCM

KIM L. HARPER, )  
Plaintiff, )  
vs. )  
ROCHELLE HARPER GREENIDGE, )  
et al., )  
Defendants. )

ORDER

**THIS MATTER** is before the Court on the Plaintiff's Motion for Reconsideration [Doc. 17].

The Plaintiff, who is proceeding *pro se*, moves for reconsideration of the Order dismissing her civil action without prejudice. [Doc. 17].

The Court may grant a motion for reconsideration under Rule 59(e) of the Federal Rules of Civil Procedure only in the following circumstances: "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or to prevent manifest injustice." Hill v. Braxton, 277 F.3d 701, 708 (4th Cir. 2002) (quoting Collison v. Int'l Chem. Workers Union, 34 F.3d 233, 236 (4th Cir.

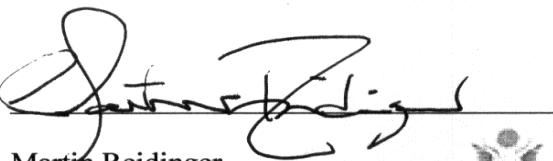
1994)). The Plaintiff has failed to establish that any of these circumstances are present here. Accordingly, the Plaintiff's Motion for Reconsideration must be denied.

The Plaintiff states in her motion that: "If the Court wants Harper to be more specific, she can do that." [Doc. 17 at 12]. The Plaintiff misapprehends the problem. The Court did not dismiss this action because the Plaintiff failed to make sufficient allegations to support her claim. Rather, the Court cited three reasons why the Court either lacked subject matter jurisdiction or should decline to exercise jurisdiction over the Plaintiff's asserted claims. For these reasons, the Plaintiff's claims were dismissed *without prejudice* to her re-filing such claims in a court of competent jurisdiction. The Plaintiff also repeatedly states that she "would appreciate having her day in court." [Id. at 10, 11]. She may still have her "day in court." That day must, however, be in a court of competent jurisdiction, which would be a state court of general jurisdiction.

**IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion for Reconsideration [Doc. 17] is **DENIED**.

**IT IS SO ORDERED.**

Signed: February 14, 2019



Martin Reidinger  
United States District Judge

